

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**JARED MILLER, by and through
his guardians, Janice Miller and
Glenn Miller, et al.,**

: **CIVIL ACTION NO. 1:16-CV-101**

: **(Chief Judge Conner)**

Plaintiffs

v.

**DEPARTMENT OF HUMAN
SERVICES OF THE
COMMONWEALTH OF
PENNSYLVANIA, et al.,**

ORDER

AND NOW, this 7th day of November, 2018, upon consideration of the proposed order (Doc. 66) and certificate of concurrence (Doc. 67) filed on today's date, wherein the parties together request that, in accordance with the settlement agreement entered by and between the parties, the court dismiss the claims raised by plaintiffs in the above-captioned action but retain jurisdiction to interpret and enforce the agreement or to entertain any motion for specific performance, and the court construing the parties' filings as a motion for dismissal pursuant to Federal Rule of Civil Procedure 41(a)(2), see FED. R. CIV. P. 41(a)(2), it is hereby ORDERED that:

1. The proposed order (Doc. 66) and certificate of concurrence (Doc. 67) are CONSTRUED as a motion for dismissal pursuant to Federal Rule of Civil Procedure 41(a)(2). The motion is GRANTED as so construed.
2. Plaintiffs' claims are DISMISSED, but the court will retain jurisdiction to interpret and enforce the parties' settlement agreement through July 31, 2020, or the date of the final resolution of any motion for specific performance filed by July 31, 2020, whichever is later.

3. Defendants' motion (Doc. 11) to dismiss pursuant to Federal Rule of Civil Procedure 12(b) is DISMISSED as moot.
4. The Clerk of Court shall close this case for statistical purposes.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania